

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

STAFF REPORT

Hearing Date/Agenda Number
P.C. 12-10-03 Item: 3.m.

File Number
PDC 02-101

Application Type
Planned Development Rezoning

Council District
2

Planning Area
South

Assessor's Parcel Number(s)
494-47-004

PROJECT DESCRIPTION

Completed by: Alison Hicks

Location: East side of Senter Road approximately 280 feet southerly of Nokomis Drive

Gross Acreage: 0.56

Net Acreage: 0.56

Net Density: 8.9 DU/ AC

Existing Zoning: R-1-8 Residential

Existing Use: Vacant

Proposed Zoning: A(PD) Planned Development

Proposed Use: Courthome Residential

GENERAL PLAN

Completed by: AH

Land Use/Transportation Diagram Designation
Medium Low Density Residential

Project Conformance:
☒ Yes ☐ No ☐ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: AH

North: Single-family Residential

R-1-8 Residence

East: Single-family Residential

R-1-8 Residence

South: Single-family Residential

R-1-8 Residence

West: Single-family Residential

R-1-8 Residence

ENVIRONMENTAL STATUS

Completed by: AH

☐ Environmental Impact
☐ Negative Declaration circulated on
☐ Negative Declaration adopted on

☒ Exempt
☐ Environmental Review Incomplete

FILE HISTORY

Completed by: AH

Annexation Title: Senter No. 18

Date: 2/10/72

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval
☐ Approval with Conditions
☐ Denial

Date: _____

Approved by: _____
☐ Action
☒ Recommendation

APPLICANT/DEVELOPER

OWNER

Bob Hightower
Barry Swenson Builder
777 North First Street, 5th Floor
San Jose, CA 95112

Christian V. Hagen
Green Valley Corporation
777 North First Street, 5th Floor
San Jose, CA 95112

PUBLIC AGENCY COMMENTS RECEIVED**Completed by: AH****Department of Public Works**

See attached memorandum.

Other Departments and Agencies

See attached memoranda from the Fire, Police and Environmental Service Departments.

GENERAL CORRESPONDENCE

None received.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant, Barry Swenson Builder, is requesting a Planned Development Rezoning from R-1-8 Residence District to A(PD) Planned Development Zoning District to allow up to five single-family detached courthome residences on a 0.56 gross acre site. A Planned Development Zoning is required because the courthome configuration does not conform to the development standards of the R-1 Residence Districts.

Site Conditions and Context

The property is now vacant but was previously cultivated as an orchard. It currently supports weedy grasses and eleven (11) fruit-bearing trees, all non-ordinance sized, as well as two storage sheds. The trees, grass and sheds are all proposed for removal. The site is completely surrounded by single-family residential uses.

Project Description

The project proposes five single-family courthomes accessible from Senter Road via a 100-foot long court. The five courthomes range in size from approximately 2,300 to 2,475 square feet of living area and are two-story. All courthome units have covered two-car garages, covered porches and more than 400 square feet of private open space.

ENVIRONMENTAL REVIEW

The project was found to be exempt pursuant to the California Environmental Quality Act (CEQA) under Section 15061 (b) 3 of the State Guidelines. Section 15061 (b) 3 states that “The activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

This small infill project will have no significant effect on the environment in that 1) it is proposed within the city limits on a project site of less than five acres, substantially surrounded by urban uses, 2) the project site has no value as habitat for endangered, rare or threatened species, 3) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and 4) the site can be adequately served by all required utilities and public services.

COMMUNITY OUTREACH

A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site. Staff has been available to discuss the project with interested members of the public.

GENERAL PLAN CONFORMANCE

The subject site is designated *Medium Low Density Residential (8 DU/AC)* on the San Jose 2020 General Plan Land Use/Transportation Diagram. This designation allows single-family homes of up to eight (8) dwelling units per acre. The project proposes to develop five (5) single-family detached residential units in a courthome configuration on a 0.56 gross acre property, resulting in a density of 8.9 dwelling units per acre.

The General Plan Discretionary Alternate Use Policy allows lands with a residential land use designation to be developed at the next higher density range if the proposed project is compatible with existing and planned uses on neighboring properties and is of superior design. Based on the analysis below, staff concludes that the project is compatible with the surrounding neighborhood and of superior design and that the project is consistent with the General Plan based on the Two-Acre Rule.

ANALYSIS

The primary issues for this project are conformance with the Residential Design Guidelines (RDGs) and compatibility with surrounding uses.

Conformance with the Residential Design Guidelines

Courtyard Design. The RDGs specify that courtyards should be designed as a single compact unit with a maximum of five residences; that individual dwelling unit entries should be prominently featured and that the courtyard should be no longer than 100 feet, should terminate in a building and should feature decorative pavement. The proposed project conforms to these recommendations. The conceptual site plan provides less than the recommended 26 feet of vehicle back-up space. Staff will work with the applicant at the Planned Development Permit stage to ensure adequate on-site circulation.

Open Space. According to the RDGs a minimum of 400 square feet of private open space should be provided per unit, with a minimum dimension of 15 feet. The project exceeds these requirements by providing private open space that ranges from approximately 450 to 2,650 square feet, with minimum dimensions of 15 feet.

Parking. The RDGs state that each unit must have two covered parking spaces. In addition, each unit must have guest parking, 0.3 space per unit with a driveway apron of 18 feet, and 1.3 space per unit without a driveway apron. Each proposed unit has two covered parking spaces. One of the five units has a parking apron of 18 feet. The current conceptual site plan is short of parking by one space. Staff is confident that provision of a second driveway apron of 18 feet is feasible, which would eliminate the requirement for one space and bring the design into conformance with the RDG parking requirements. Staff will work with the applicant at the Planned Development Permit stage to ensure that parking is adequate.

Perimeter Setbacks. According to the RDGs, the front court setback should match the average setbacks of existing residential buildings, both adjacent to the property and across the street from it; side and rear setbacks from adjacent residential properties should be 20 feet from or match side to side setbacks. The front court setback is proposed to match average existing setbacks. The side court setback is 15 feet, which exceeds the matching side-to-side setback guideline. The rear setback is 25 feet, which exceeds the 20-foot recommendation of the RDGs.

Compatibility with Surrounding Uses

The proposed single-family use is consistent with that of surrounding properties, which are developed with existing single-family detached residences. While the proposed lot sizes are smaller than the average lot size in the area, the proposed perimeter setbacks and 30-foot height limit ensure a compatible interface with adjacent properties. Staff will work with the applicant at the Planned Development Permit stage to provide appropriate and compatible architecture for the proposed residences.

Conclusion

Based on the above analysis, staff concludes that the proposed rezoning meets or exceeds the Residential Design Guidelines and is compatible with the surrounding neighborhood.

RECOMMENDATION

Planning staff recommends the Planning Commission forward a recommendation to the City Council to adopt an ordinance rezoning the subject property for the following reasons:

1. The proposed project is consistent with the San José 2020 General Plan based on the Discretionary Alternate Use Policy, Two-Acre Rule.
2. The project furthers the goals and objectives of the City's infill housing strategies.
3. The proposed rezoning is compatible with existing and proposed uses on the adjacent and neighboring properties.

Attachments